

VZCZCXYZ0026  
PP RUEHWEB

DE RUEHPU #0335/01 0482017  
ZNR UUUUU ZZH  
P 172017Z FEB 06  
FM AMEMBASSY PORT AU PRINCE  
TO RUEHC/SECSTATE WASHDC PRIORITY 2399  
INFO RUEHZH/HAITI COLLECTIVE

UNCLAS PORT AU PRINCE 000335

SIPDIS

WHA/PPC FOR Puccetti  
G/TIP/WHA FOR Eterno  
PRM FOR Dentzel

SIPDIS

E.O. 12958: N/A  
TAGS: [KWMN](#) [KCRM](#) [PHUM](#) [ELAB](#) [PREL](#) [SMIG](#) [ASEC](#)  
SUBJECT: Haiti: Anti-TIP Proposal for INCLE Funds, FY 2006

REF: 05 State 221183

- ¶1. Please find a proposal submitted by the International Organization for Migration (IOM) for anti-trafficking in persons INCLE funding for FY 2006. Post fully supports this proposal as the submission best tailored to combat trafficking in persons in Haiti from a law enforcement aspect:
  - ¶A. Title: Combating Trafficking in Persons within, through, and from Haiti, Capacity Building in the Area of Criminalization and Investigation.
  - ¶B. Name of Recipient Organization: International Organization for Migration (IOM) Haiti
  - ¶C. Project Duration: 12 months (new project)
  - ¶D. Project Description: The project will significantly strengthen GoH law enforcement capacity to combat trafficking through: a) support for the development of an institutional framework; b) support for an inter-agency task force and the drafting of an operational manual; c) institutionalized training for law enforcement officers on investigative, interviewing, raid and rescue techniques; d) equipment to render fully functional an HNP investigative unit and a liaison unit within the DIE and; e) facilitation of networking and cooperation.

The end of the project will achieve the following goals:

-- To assist with the development of an institutional framework that criminalizes trafficking as an offence and enables the prosecution of offenders.

-- To strengthen the capacity, through support to an inter-agency task force, institutionalized trainings, train-the-trainer events, and equipment provision, of law enforcement officers in information gathering, investigation, victim rescue, raids, and arrests of offenders.

--To improve national and regional networking and cooperation among law enforcement officers, social service providers and trafficking victims for enhanced identification, investigation and prosecution of offenders.

#### Activities

Each component will include a mapping exercise, appropriate capacity-building activities and the use of before and after surveys of training participants. Representative project activities will include:

## Component 1: Development of an Institutional Framework

IOM will commission a review of Haitian legislation and application with respect to trafficking as an essential precondition for effective legislative revisions, network exchanges, and law enforcement training. The project will employ a framework used successfully by IOM in similar legal reviews on trafficking within seven other Caribbean states. The review will determine which criminal provisions within existing statute law can be used to prosecute traffickers in the absence of an anti-trafficking law. Taking into account the legal review findings, IOM will technically assist in the drafting of trafficking-specific legislation, the adaptation of existing legislation and the formulation of policy.

- Recruit a local legislative attorney to conduct a legal review.
- Publish and disseminate the results of the Legal Review as well as copies of the Palermo Protocol and its accompanying legislative guides.
- Recruit a local legal expert to assist with the drafting/adaptation of legislation and policy.

## Component 2: Inter-Agency Counter-Trafficking Task Force and Operational Manual

Based on expressed interest, IOM will assist with the formation of an inter-agency human trafficking task force to facilitate common understanding of the trafficking phenomenon and to agree on respective roles and responsibilities as well as on cooperation mechanisms. IOM will train this group on basic investigative and prosecutorial measures required to combat trafficking. With representatives of entities including the DIE, HNP, and the Barreau de Port-au-Prince (Ministry of Justice), this task force will be aided in the adaptation of an IOM-Interpol Law Enforcement Manual to serve as a detailed operational guide on the identification of victims and offenders, information gathering, investigative techniques, case building, and raid and prosecutorial techniques. As IOM assisted Interpol with the development of this manual, which is currently being used in International Law Enforcement Academies, IOM Haiti will recruit an international criminal expert to adapt the manual so as to detail how existing statute law can be applied to the investigation and prosecution of offenders and how to apply the provisions of the trafficking-specific law to be developed. The manual will include a national and regional law enforcement directory.

- Hold discussions to identify participants and agree upon a meeting schedule for an inter-agency task force on trafficking.
- Train task force on basic investigative and prosecutorial measures in counter-trafficking.
- Recruit an international criminal expert.
- Assist the task force in adapting the IOM-Interpol

## Law Enforcement Training Manual.

## Component 3: Technical Support for the Operation of a Trafficking Investigations Unit

Having consulted the Secretary of State for Justice and Public Security and external partners, IOM will equip and train the Joint Information Cooperation Center within the HNP to effectively become the main investigations unit for trafficking in persons. The HNP will in turn increase the JICC's staffing levels to meet the latter's expanded mandate. With a solid record of successful investigations in transnational drug trafficking, a strong working relationship with its

Dominican counterpart, and a vetted and highly skilled staff, the JICC presents a reliable and cost-effective intervention point. IOM will share international best practice models in the formation and operation of human trafficking investigative units. 2 Counter-Trafficking Focal Points will be selected within the BPM and trained to assist the JICC with interviews, investigations, raids and arrests in cases of child trafficking.

To put the operational manual into practice, IOM will technically assist in the development of 2 training curricula; one to be institutionalized within the Academie de la Police Nationale d'Haiti for the 4-month basic training of new recruits and; one for the training of existing police officers throughout Haiti. Curricula will cover: the definitions and criteria by which to detect traffickers and identify victims; the means used by organized crime groups to traffic persons; information gathering and investigative techniques (reactive, proactive and disruptive); case building and; working with victims, including procedural safeguards for victims and witnesses during criminal proceedings.

Having assisted the HNP to draft the curricula, the international criminal expert will conduct 2 pilot trainings to test the training materials at the Academie de la Police Nationale d'Haiti and with current officers in Port-au-Prince (PAP), a key area of trafficking. Upon adapting the curriculum based on pilot trainings, IOM will train Academy instructors in curriculum use. To ensure capacity to scale-up trainings to the national level, including for border guards, IOM will train a core group of master trainers among the JICC and BPM Counter-Trafficking (CT) Focal Points on substantive trafficking issues, the newly developed operational manual, and on best practice training techniques.

- Discuss the application of international best practice models for investigative units.
- Provide JICC with computers, printers, fax machines, and digital cameras.

With JICC, develop 2 curricula (for new recruits and current police officers).

- Conduct 2 pilot trainings at the Academie de la Police Nationale d'Haiti and for JICC and BPM CT Focal Points.
- Train instructors at the Academie de la Police Nationale d'Haiti on curriculum use.

- Hold a train-the-trainers event for master trainers between the JICC and BPM CT Focal Points.

- Integrate, into all trainings, the IOM Counter-Trafficking Training Modules.

#### Component 4: Technical Support for the Operation of an Immigrations Liaison Unit

The JICC is expecting to shortly be equipped with 3 immigration officers as well as with unrestricted access to the DIE's automated system and watch-lists, which bodes well for JICC-DIE cooperation. For immigration officers stationed at the major ports of entry, IOM will identify and enable a liaison unit within the DIE to effectively identify trafficking victims and offenders among other irregular migrants and to coordinate investigations with the JICC. This unit will be assisted with basic forensic tools and with the development of 2 curricula for new recruits and experienced officers. The curricula will be tested through 2 pilot trainings during the basic training of recruits and for officers at a major land border port of entry frequented by traffickers. The curriculum for current officers will be adjusted based on pilot trainings and used to train a core group of master trainers within the Liaison unit who can scale-up training to the national level at which

there are 130 immigration officers.

Pilot trainings will cover: use of the operational manual; the definitions and measures of trafficking victims and offenders; the means used by organized crime groups to traffic persons; interview and investigative techniques; working with victims; and passport fraud detection through familiarization with fluorescent properties of inks used in encoded documents and endorsement stamps. The training of master trainers will further include instruction on best practice training techniques. All trainings will cover joint investigative techniques that can be used with the JICC and BPM focal points.

- Discuss the application of international best practice models for liaison units.
- Provide forensic analysis tools including ultraviolet viewing equipment.
- With the DIE, develop 2 curricula on passport fraud, interview techniques, etc.
- Conduct 2 pilot trainings (among candidates and current officers at a border port).
- Hold a train-the-trainers workshop for a core group of DIE master trainers.
- Integrate, into all trainings, the IOM Counter-Trafficking Training Modules.

#### Component 5: Facilitation of Law Enforcement Networking and Cooperation

To help cultivate a working relationship at the regional level between law enforcement entities in Haiti and the Dominican Republic and to harmonize, where possible, investigative and prosecutorial procedures, IOM will support a networking visit by GoH officials to the Dominican Republic. The visit will facilitate: a) the sharing of best practices in legislation, policy and practice; b) the development of complementary legal mechanisms, and; (b) the creation of effective mechanisms for information and intelligence exchange for prosecution.

Cooperation is also required at the national level where social service providers, such as the NOM and IBESR, that play key roles in victim identification and shelter, must know how to work with law enforcement officers for the effective investigation and prosecution of offenders. Thus, a joint training session will be held for the ONM, IBESR, JICC, BPM, DIE and relevant NGOS covering cooperation mechanisms to ensure the safe and dignified interrogation of, and testifying by, witnesses and victims. Improved inter-agency cooperation will increase victim confidence and trust in law enforcement officers, which is critical to having more victims file complaints and testify at court. Support airfare for 1 Haitian-Dominican networking visit for GoH law enforcement officers.

Conduct a training workshop during networking visit on models and techniques for joint detection and investigation of suspected traffickers for the purpose of successful prosecution.

Develop a curriculum and conduct 1 joint training session in Haiti for law enforcement and social service providers to: sensitize police and immigration officials to victim needs; to sensitize social service providers of law enforcement intelligence gathering needs and; to discuss means of improving inter-agency information exchange and cooperation.

1E. Justification: Haiti remains on the U.S. Department of State's Tier 2 Watch List for not having demonstrated increasing efforts over the preceding year to combat the trafficking in humans in, through and from Haiti. The lack of a multifaceted and institutionalized response is troubling given the increasing vulnerability of Haitians

to trafficking as well as the growing severity of victim exploitation. These trends adversely affect the following main categories of trafficking victims:

- Children trafficked internally, mainly from rural to urban areas within Haiti, for exploitation as unremunerated domestic servants and for forced prostitution;
- Children trafficked from Haiti to the Dominican Republic (DR) for exploitation as unremunerated domestic servants, beggars and shoe-shiners, and in some cases for forced prostitution;
- Women and children trafficked from the DR to Haiti for forced prostitution;
- Adults, mostly male, trafficked from Haiti to the DR for forced labor in sectors including agriculture and construction and;
- Victims trafficked via Haiti to other Caribbean islands, the U.S. and Canada, for forced labor.

Faced with this trafficking phenomenon, the Government of Haiti took the promising step, in 2005, of ratifying the Inter-American Convention on International Traffic in Minors, as well as the UN Convention against Transnational Organized Crime and its supplemental Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. To fulfill its associated obligations the GoH must develop a multifaceted response to combat trafficking in all victim profiles.

In this regard, with the support of the U.S. Department of State's Bureau of Population, Refugees and Migration (PRM), IOM is providing crucial return and reintegration support for child victims of internal trafficking. IOM has also trained numerous governmental and non-governmental representatives in the basic concepts and definitions of trafficking in persons as well as in promising return and reintegration practices.

However, if Haiti is to deter traffickers from exploiting additional victims, it must address the lack of an institutional framework and investigative capacity to build successful prosecution cases against trafficking offenders. At present, little external assistance is provided to enable law enforcement entities to effectively investigate all cases of trafficking in humans, including adults. Given the paucity of trafficking-related investigations, arrests and external assistance, the Secretary of State for Justice and Public Security has requested that IOM train and equip the Joint Information Cooperation Center (JICC) as the main human trafficking investigative unit within the Haitian National Police.

IOM will therefore seek to strengthen law enforcement capacity at the investigative level through addressing the following response gaps. In subsequent projects, IOM will target the judiciary for capacity building at the prosecutorial level to ensure that convictions follow investigations.

**Lack of an Institutional Framework:** The GoH has yet to develop an institutional framework to combat human trafficking. In this regard, the Collectif has encouraged the revitalization of an inter-ministerial commission on trafficking, which reconvened for the first time in December 2005. Given the contextual implementation challenges that would arise if the GoH adopted a model anti-trafficking law, IOM welcomes the request of the Ministry of Foreign Affairs, as the lead entity in the commission, for IOM's technical assistance in the drafting of legislation and policy. The Department of Immigration and Emigration (DIE) and Haitian National Police (HNP) have asked that IOM clarify how criminal provisions within existing statute law could enable the prosecution of offenders.

**Poor Capacity Among Law Enforcement Entities:** As basic training for the HNP and DIE do not cover trafficking in persons, officers are largely unfamiliar with international definitions and criteria used to identify trafficking victims and offenders and of the means employed by organized crime groups to traffic persons. The DIE lacks the capacity to fulfill its key role in identifying trafficking victims and offenders at major ports of entry among irregular migrants, including the estimated 100 mostly Eastern Europeans and Chinese, destined for the U.S. and Canada, that it intercepts annually at the Port-au-Prince airport. The Police Commissioner claims his border guards and police are insufficiently skilled and resourced to investigate traffickers and conduct raids, rescues and arrests.

**Lack of Specialized Police and Immigration Units:** There is no central police unit that investigates all trafficking cases. While the HNP formed the Brigade for the Protection of Minors (BPM) in 2003, to investigate cases of child abuse, including trafficking, and to monitor cross-border child movement, this entity lacks the capacity to fulfill its functions and the mandate to address trafficking in adults. The DIE lacks a liaison unit to support the HNP in the investigation of trafficking cases.

**Poor National and Regional Cooperation:** Police and immigration officials lament the lack of an inter-agency task force on trafficking in persons at which to discuss how to apply existing criminal provisions in a collaborative manner and how to conduct joint investigations. Despite its necessity, little cooperation exists between Haitian and Dominican law enforcement officers to undertake effective investigations of cross-border trafficking cases and networks. Despite the key role of social service providers, such as the National Office for Migration (NOM) and IBESR, in identifying trafficking victims and in facilitating information gathering necessary for investigation, there is little cooperation or trust among victims, social service providers and law enforcement officers. Lacking confidence in the criminal justice system, victims are generally unwilling to file complaints.

**11F. Performance Indicators:** Performance indicators will be gender-disaggregated where relevant. To measure progress attained during the project's timeframe, and attributed to project interventions, baselines and percentage increases will be determined through the use of before and after surveys of target training participants.

**Supporting the Development of an Institutional Framework:**

-- National trafficking legislation has been drafted that clearly outlines measures to prosecute traffickers and assist victims, including: procedures that recognize the victim as a victim and not a criminal; national definitions and measures for victim identification; procedural protocols that release imprisoned or detained victims and place them in protective care and; victim friendly approaches to information collection.

-- National policy has been drafted or passed that outlines roles and responsibilities of ministries or departments responsible for addressing trafficking in persons: Standards of Conduct for those working with victims; Standard Operating Procedures for improved inter-agency coordination facilitating victim identification, sheltering, return and reintegration and for the detection, investigation and prosecution of traffickers; bilateral agreements or Memoranda of Understanding with countries on the procedural mechanism for return and reintegration.

**Capacity Building of Law Enforcement Entities:**

-- An Inter-Agency Task Force on Trafficking in Persons

has been formed and has held several meetings at which: the roles and responsibilities of relevant entities have been clarified; inter-agency coordination mechanisms have been established and; an operational law enforcement manual has been drafted.

- Percentage of trained instructors at the national police academy that are using the anti-trafficking investigative curriculum.

- Percentage of pilot training participants actively employing the investigative techniques learned.

- Number of trainings conducted by train-the-trainer participants.

- Percentage of pilot training participants conducting safe and dignified interrogations of witnesses and victims during the process of investigation.

#### Strengthening National and Regional Networking and Cooperation:

- Cooperative interrogation techniques have been developed and implemented by Haitian and Dominican Republic law enforcement participants of the networking visit.

- Percentage of joint training workshop participants employing the joint investigative techniques.

- Percent of follow-up inter-agency meetings held by joint training workshop participants.

- Percentage of victims identified by joint training participants who file a complaint and testify at court.

1G. Evaluation Plan: Monitoring by the Project Manager will be an ongoing activity throughout the project implementation, to ensure strict adherence to project parameters at all times. To measure progress toward results, a detailed work plan with benchmarks and assessment tools, including pre- and post-training surveys, will be developed. This project includes an internal monitoring system to determine progress being made, to identify challenges and appropriate responses, and to indicate possible future interventions. A mid-term and final report will be submitted to the donor according to mutually agreed criteria.

1H. Budget Breakout: Total, 12 months: USD 298,473  
TOTAL ADMINISTRATION COSTS 156,960

#### DIRECT OPERATIONAL COSTS

##### Component 1: Development of an Institutional Framework

Local Legal Expert (consultant) for Legal Review

Local Legal Expert (consultant) for Legislation/Policy Drafting

Logistic Support for Local Legal Experts (computers +communication costs)

Translation/Printing of Protocol/Legislative Guide/Legal Review

Sub-Total 10,650

##### Component 2: Inter-Agency Counter-Trafficking Task Force and Operational Manual

International Criminal Expert to Draft Manual (consultant fees + DSA)

Logistic Support for International Expert (airfare/computer/phone/communication)

Training Costs (facility rental + coffee breaks, training equipment)

Sub-Total 26,400

##### Component 3: Technical Support for Operation of a

Trafficking Investigative Unit (Police)

Computers, Printers, Fax Machines, and Digital Cameras for the Unit

Translation/Printing of Manual for Training

Participants & Curriculum for Trainers

International Criminal Expert (consultant) to Draft Curriculum & Head Trainings

Training Costs (facility rental/coffee breaks, training equipment)



Sub-Total 39,750

Component 4: Technical Support for Operation of a Liaison Unit (Immigration)  
Basic Forensic Tools (ultraviolet viewing equipment, camera, microscope) for Unit  
Translation/Printing of Manual for Training Participants & Curriculum for Trainers  
International Criminal Expert (consultant) to Draft Curriculum & Head Trainings  
Training Costs (travel, facility rental/coffee breaks, training equipment)  
Sub-Total 39,450

Component 5: Law Enforcement Networking and Cooperation  
Haiti-Dominican Republic Networking Visit for GoH Officials + Consultant  
Printing of Training Materials  
International Criminal Expert (consultant) for Joint-Training and Network Visit  
Joint-Training Costs (facility rental/coffee breaks, training equipment)  
Sub-Total 11,050

Sub-Total Direct Operational Costs 127,300  
HQs Overhead Charges at 5% of Total Project Costs 14, 213  
Total Project Costs 298,473

I. Cost-Sharing, Host Government Contribution:

A. Government of Haiti: overall project guidance and continuous involvement; logistical support and premises for project use and; identification and provision of staff for trainings.

B. IOM: IOM Port-au-Prince: overall project management and monitoring; donor outreach and reporting and; key staff/consulting experts. IOM Santa Domingo: inform Dominican law enforcement counterparts of GoH networking visit supported under this project.

C. NGO Partners: provision of staff for participation in joint training workshop.

D. Donor(s): financial support and availability for continuous project consultations.

J. Proposed Funding Mechanism: Cooperative Agreement with IOM and appropriate government agency.

K. Embassy POC: Dana Banks, Human Rights Officer, Political Section, U.S. Embassy Port-au-Prince, Haiti. Phone: 011-509-222-0200, ext. 8270, Email: BanksD@state.gov.

L. Other donors: See letter "I."

- a. 1. Summary: One hundred three permanent voter registration centers and 20 mobile centers with roughl registration computers are open throughout Haiti, and additional centers are scheduled to open within a few Though the official tally of registered voters was 181 on June 23, on June 27, the Organization of American S estimated that roughly 250,000 voters have registered. However, some groups have started a campaign to dissua Haitians from registering, and the Interim Government Haiti still has not released decrees that will legitim the elections. End Summary.